

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AMERICAN AIRLINES, INC.,

Plaintiff,

v.

THE CITY OF CHICAGO et al.,

Defendants.

Case No. 25-cv-4874

Hon. Judge Joan H. Lefkow

CORRECTED¹ UNOPPOSED MOTION
FOR AUTOMATIC RULE 25(d) SUBSTITUTION

Defendants the City of Chicago (“City”) and Michael J. McMurray, in his official capacity as Commissioner of the Chicago Department of Aviation (“CDA”), respectfully submit this Corrected Motion for Automatic Rule 25(d) Substitution and in support thereof state as follows:

1. On May 2, 2025, Plaintiff, American Airlines, Inc. (“Plaintiff”) filed this action against the City and its then acting commissioner Tracey Payne (“Former Acting Commissioner Payne”), in her official capacity as Commissioner of CDA. *See* Compl., Dkt. 1. Former Acting Commissioner Payne was not named by Plaintiff in this lawsuit in her individual capacity; she was only named in her official capacity. *Id.*

2. On May 21, 2025, after the initial complaint was filed, Michael J. McMurray (“Commissioner McMurray”) was confirmed by City Council for the City as CDA Commissioner.

¹ Defendants file this corrected motion solely to correct their inadvertent misspelling of Commissioner McMurray’s middle initial. Commissioner McMurray’s middle initial is “J.”

See <https://chicityclerkelms.chicago.gov/Matter/?matterId=61CB66CC-A52A-F011-8C4D-001DD809DA57#> (showing the record of City Council confirming Commissioner McMurray).

3. Once Commissioner McMurray was confirmed, Former Acting Commissioner Payne ceased to hold office as acting commissioner of CDA.

4. Federal Rule of Civil Procedure 25(d) provides that Commissioner McMurray, as Former Acting Commissioner Payne's successor, should be substituted automatically as a party in Tracey Payne's place:

Public Officers; Death or Separation from Office. An action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The officer's successor is automatically substituted as a party. Later proceedings should be in the substituted party's name, but any misnomer not affecting the parties' substantial rights must be disregarded. The court may order substitution at any time, but the absence of such an order does not affect the substitution.

FRCP 25(d).

5. Automatically substituting Commissioner McMurray as a party to this action, and removing Former Acting Commissioner Payne, will have no effect on the rights of the parties to this case. It will merely serve to accurately reflect the current commissioner CDA.

6. Defendants conferred with Plaintiff, who has no objection to this motion.

Respectfully submitted on July 7, 2025.

/s/ Samantha R. Caravello

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Samantha Caravello, an attorney, certify that on July 7, 2025, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of Court using CM/ECF, which will serve on all counsel of record.

/s/ Samantha R. Caravello
Samantha R. Caravello